REMARKS

Claims 1-4 and 6-20 are currently pending in the application. By this amendment, claims 1 and 2 are amended for the Examiner's consideration. The above amendments do not add new matter to the application and are fully supported by the specification. For example, support for the amendments is provided at pages 7 and 8 of the specification. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

Judicially Created Obviousness Double Patenting Rejection

Claims 1-20 are rejected under the judicially created obviousness-type double patenting rejection over claims 1-12 of U.S. Patent No. 5,675,784. This rejection is respectfully traversed.

Applicants submit that the claimed invention is not obvious over U.S. Patent No. 5,675,784. Applicants first note that the Examiner argues that only claim 1 is obvious in view of the claims of U.S. Patent No. 5,675,784 by providing a specific example. For this reason, Applicants respectfully submit that the remaining claims, by the Examiner's apparent omission of arguments, should not be included in this rejection.

Second, claim 1 has now been amended to include, in part

> when a promotion that includes the qualifying value is present in the database,-associating the qualifying value of the promotion with a module of selectively executable compiled web server code residing on a server's body of compiled code, selecting the module of selectively executable compiled web server code and executing ~~a~~ the module of selectively executable compiled web server code that provides the promotion,
>
> wherein the associating is made explicitly by pointers that are included in terms of the promotions.

These features are not shown or suggested by any of claims 1-12 of U.S. Patent No. 5,675,784.

Additionally, and in any event, the Examiner admits that claim 1 of U.S. Patent No. 5,675,784 does not include the web server code to provide the promotion of the qualifying event.

However, the Examiner is of the opinion that it would be obvious to one of skill in the art to modify the database system to provide the promoting of the predefined, standard components types with filled-in specification valued in order to enhance the service via the internet.

Applicants submit that even if one of skill were to modify claim 1 of U.S. Patent No. 5,675,784, as suggested, this still would not result in the claimed invention, nor would this even remotely resemble the claimed invention. U.S. Patent No. 5,675,784 is directed to a computer implemented electronic catalog database method for collecting component and specification level data related to products in a manner that permits cataloging and managing large quantities of product data in an efficient manner. The presently claimed invention is directed to promotions that include a qualifying value present in the database, and executing the module of selectively executable compiled web server code that provides the promotion. It would appear that the only commonality with the claims of U.S. Patent No. 5,675,784 is that information is stored in a database, and which may be retrieved therefrom. This, in of itself, cannot be a basis for an obviousness-type double patenting rejection, since there are many additional features of claims 1-20 of the present invention which are not shown in the claims of U.S. Patent No. 5,675,784.

Accordingly, Applicants submit that the rejection over claims 1-20 now be withdrawn.

35 U.S.C. § 103 Rejection

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 6,189,003 issued to Leal in view of U.S. Patent No. 6,502,076 to Smith. Applicants respectfully traverse this rejection for at least the following reasons.

The Examiner suggests that the combination of Leal and Smith discloses every feature of the claimed invention. Claims 1 and 2 are amended in order to clarify these claims. In particular, claim 1 is amended to recite, in part:

> when a promotion that includes the qualifying value is present in the database, associating the qualifying value of the promotion with a module of selectively executable compiled web server code residing on a server's body of compiled code, selecting the module of selectively executable compiled web server code

> and executing the module of selectively executable compiled web server code that provides the promotion, wherein the associating is made explicitly by pointers that are included in terms of the promotions.

Claim 2 is amended, in part, to recite:

> ... determining a reward value of the promotion that includes the qualifying value based on associating a module of selectively executable compiled web server code residing on a server's body of compiled code made explicitly by pointers that are included in terms of the promotion....

The remaining independent claims further recite, more generally, executing a module of selectively executable compiled code associated with the reward value, with additional features.

Leal, on the other hand, discloses a system and method to provide buyers with information that supports the selection of qualified vendors and service providers at the precise time they are prepared to make a purchase. The service may include the use of coupons and special promotions (col. 3, lines 9-10 and col. 6, line 1). However, Leal does not describe or even remotely suggest associating the promotion with a module of selectively executable compiled web server code residing on a server's body of compiled code, selecting the module or executing the module. In Leal, a database is provided for the search of records, where data is saved in tables (col. 3, lines 42-50). The searching capabilities of the database are provided at cols. 7 and 8, as a preferred embodiment.

But, the Leal system does not show a module of executable compiled web server code, as admitted by the Examiner. Instead, the Leal system is based on an SQL query, in addition to storing values of a template in binary and decimal representations. In addition, Leal does not show or even remotely suggest the server code residing on a server's body of compiled code which is made explicit by pointers that are included in terms of the promotion. Again, Leal uses well known SQL queries.

The Examiner is of the opinion that Smith teaches a system and method for determining and displaying product promotions wherein the web server has access to a product promotion database. The Examiner also asserts that it would have been obvious to take the system

disclosed in Smith and incorporate such techniques into Leal to achieve the claimed invention. Applicants do not agree on several grounds.

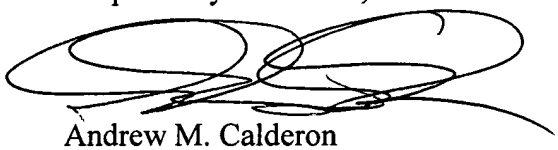
First and foremost, the Examiner does not even address a feature of the claimed invention: executing a module of selectively executable compiled code associated with the reward value or promotion. Applicants, in any event, submit that this feature is not taught in Smith. In Smith, there is a product promotion database, as shown in Figure 3. a server computer has access to the product promotion database. A product promotion software object executed by the server computer accesses the database in order to retrieve data therefrom to be used in assembling advertisements and product promotion information to be displayed on one or more of the terminals. A user interface connected to the terminals and to the promotion software object causes the assembled advertisements and product promotion information to be displayed on one or more of the terminals. However, Smith also does not show the features of the claimed invention, including, for example, a module of selectively executable compiled web server code residing on a server's body of compiled code made explicitly by pointers that are included in terms of the promotion.

Applicants thus request withdrawal of the rejection of claims 1-20.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **IBM Deposit Account No. 09-0457** (Endicott).

Respectfully submitted,



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